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Security Council

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Statement by the President of the Security Council

At the 5100th meeting of the Security Council, held on 14 December 2004, in connection with the Council's consideration of the item entitled "Protection of civilians in armed conflict", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council has considered the matter of protection of civilians in armed conflict. The Council recalls all its relevant resolutions, in particular resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict as well as statements by its presidents and reiterates its commitment to address the widespread impact of armed conflict on civilians.

"The Security Council reaffirms its strong condemnation of all acts of violence targeting civilians or other protected persons under international law. The Council is gravely concerned that civilians are increasingly targeted by combatants and armed elements during armed conflict, in particular women, children and other vulnerable groups, including refugees and internally displaced persons, and recognizes the negative impact this will have on durable peace and national reconciliation. The Council also reaffirms its condemnation of all incitements to violence against civilians in situations of armed conflict, in particular the use of media to incite hatred and violence. The Security Council urges all parties to armed conflict, including non-State parties, to put an end to such practices.

"The Security Council reiterates its call to all parties to armed conflict, including non-State parties, to comply fully with the provisions of the Charter of the United Nations and with rules and principles of international law, in particular, international humanitarian law, and as applicable, human rights and refugee law, and to implement fully the relevant decisions of the Security Council. The Security Council recalls the obligations of all States to ensure respect for international humanitarian law, including the four Geneva conventions, and emphasizes the responsibility of States to end impunity and to prosecute those responsible for genocide, war crimes, crimes against humanity and serious violations of humanitarian law. It further calls on all States which have not already done so to consider ratifying or acceding to major instruments of international humanitarian, human rights and refugee law, and to take appropriate measures to implement them.

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"The Security Council underlines the importance of safe and unhindered access of humanitarian personnel and assistance to civilians in armed conflict in accordance with international law. The Security Council reiterates its call to all parties to armed conflict, including non-State parties, to take all necessary measures to ensure security and freedom of movement of United Nations and associated personnel as well as personnel of humanitarian organizations. The Security Council condemns all attacks targeting United Nations personnel and other humanitarian workers, and underlines that the perpetrators of such attacks must be held accountable as outlined in its resolution 1502 (2003) of 26 August 2003. The Security Council underscores the importance for Humanitarian organizations to uphold the principles of neutrality, impartiality, humanity of their humanitarian activities and independence of their objectives.

"The Security Council recognizes the importance of a comprehensive, coherent and action-oriented approach, including in early planning, of protection of civilians in situations of armed conflict. It stresses, in this regard, the need to adopt a broad strategy of conflict prevention, which addresses the root causes of armed conflict in a comprehensive manner in order to enhance the protection of civilians on a long term basis, including by promoting sustainable development, poverty eradication, national reconciliation, good governance, democracy, the rule of law and respect for and protection of human rights. It encourages further cooperation and coordination between member States and the United Nations system. The Council, moreover, recognizes the needs of civilians under foreign occupation and stresses further, in this regard, the responsibilities of the occupying Power.

"The Security Council, recognizing the regional dimensions of certain armed conflict, stresses the need for regional cooperation in order to address cross-border issues such as disarmament, demobilization, reintegration and rehabilitation, cross border movement of refugees and combatants, human trafficking, illicit flow of small arms and illegal exploitation of natural resources and post-conflict situations. It encourages regional and subregional organizations to develop, as appropriate, a regional protection strategy and provide for a coherent and strong framework for addressing protection issues. The Council welcomes the steps taken by regional organizations in this regard and requests the United Nations system and other international organizations to provide them with the necessary support, and to consider means for the reinforcement of national capacities. The Council takes into account, in this regard, the Secretary-General's recommendation regarding the establishment of a framework within which the United Nations could engage with regional organizations more systematically on humanitarian issues related to protection and access and better address those issues at the regional intergovernmental level.

"The Security Council strongly condemns the increased use of sexual and gender-based violence as a weapon of war as well as the recruitment and use of child soldiers by parties to armed conflict in violation of international obligations applicable to them. The Security Council underlines the vulnerability of women and children in situations of armed conflict, bearing in mind in this regard its resolutions 1325 (2000) on women, peace and security and 1539 (2004) as well as all other resolutions on children and armed conflict, and recognizes their special needs, in particular those of the girl child. It

stresses the importance of developing strategies aimed at preventing and responding to sexual and gender-based violence, through the improvement in the design of peacekeeping and assessment missions by, inter alia, the inclusion of gender and child protection advisers. It stresses also the importance for women and children subject to exploitation and sexual violence to receive adequate assistance and support.

"Mindful of the particular vulnerability of refugees and internally displaced persons, the Council reaffirms the primary responsibility of States to ensure their protection, in particular, by preserving the civilian character of camps of refugees and internally displaced persons and to take effective measures to protect them from infiltration by armed groups, abduction and forced military recruitment.

"Reaffirms its readiness to ensure that peacekeeping missions are given suitable mandates and adequate resources so as to enable them to better protect civilians under imminent threat of physical danger, including by strengthening the ability of the United Nations to plan and rapidly deploy peacekeeping and humanitarian personnel, utilizing the United Nations Stand-by Arrangements System, as appropriate.

"The Council considers that a coherent and integrated approach to disarmament, demobilization, reintegration and rehabilitation of ex-combatants, which takes into account the special needs of child soldiers and women combatants, is of crucial importance for a sustained peace and stability. The Council reaffirms the need for the inclusion of these activities in the mandates of United Nations peacekeeping operations and emphasizes the importance of resources being made available for such activities.

"The Security Council is concerned by the growing problem of humanitarian emergency situations while funding and resources do not match requirements. It urges the international community to ensure adequate and timely funding in response to humanitarian need across crises so as to provide sufficient humanitarian assistance in alleviating the suffering of civilian populations, in particular those in areas affected by armed conflict or emerging from a situation of conflict.

"The Security Council expresses its appreciation for the efforts of the United Nations agencies, regional organizations, international humanitarian organizations and other relevant actors aimed at raising international awareness of the suffering of civilians in armed conflicts, including refugees and internally displaced persons, and considers such efforts as a key element for the promotion of a culture of protection and for the building of international solidarity with the victims of armed conflict.

"The Security Council invites the Secretary-General to continue to refer to it relevant information and analysis where he believes that such information or analysis could contribute to the improvement of its work on the protection of civilians in armed conflict and to continue to include in his written reports to the Council on matters of which it is seized, as appropriate, observations relating to the protection of civilians in armed conflict. In this context, the Security Council reiterates the importance of the aide-memoire annexed in the statement by its President (S/PRST/2002/6) as well as the road map for the

protection of civilians in armed conflict as a practical tool for dealing with protection issues.

"The Security Council notes the submission of the Secretary-General's report on protection of civilians in armed conflict of 18 May 2004 (S/2004/431) which examines the ten-point platform and requests him to submit by 28 November 2005 his next report, and to include in this report information on the implementation of Security Council resolutions previously adopted on this subject as well as any additional recommendations on ways the Council and other Organs of the United Nations, acting within their respective spheres of responsibility, could further improve the protection of civilians in situations of armed conflict."